

VLADECK, RASKIN & CLARK, P.C.

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November 13, 2015

VIA ECF

Honorable Colleen McMahon  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, NY 10007-1312

MEMO ENDORSED

USDC SDNY
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Re: Lott v. CoreOne Technologies, LLC, 14-cv-5848

Dear Judge McMahon:

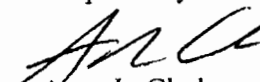
We represent plaintiff Brian Lott ("plaintiff") in the above-captioned matter and write on behalf of both parties to clarify Your Honor's November 13, 2015 Order. On October 19, 2015, plaintiff filed a Motion to Amend and for Supplemental Discovery (the "Motion") relating to the sale of defendant CoreOne Technologies, LLC ("CoreOne") to Markit, Inc. ("Markit") in early October 2015. After continued discussions between the parties, plaintiff's request to amend the Complaint and part of plaintiff's request for supplemental discovery regarding the structure of the sale is now moot.

Under the parties' current Scheduling Order, discovery has been closed since May 29, 2015. Because the sale occurred after this date, plaintiff understood that he was required to make a motion to reopen discovery before any further discovery could be compelled. (See Plaintiff's Memorandum of Law in Support of the Motion, pp. 9-11).

Plaintiff continues to seek leave to compel updated information regarding his damages as a result of the sale. In light of the recent discussions between counsel, the parties also seek leave to extend the deadline for defendant to respond, which is currently set for November 16, 2015, by two weeks up to and including November 30, 2015.

If Your Honor is referring this dispute to Magistrate Judge Ellis, plaintiff will re-file a motion to reopen with Judge Ellis.

Respectfully submitted,

  
Anne L. Clark

ALC/fa

cc: James R. Williams, Esq. (via ECF)  
Suzanne E. Peters, Esq. (via ECF)

11/16/2015  
OK - just take  
the 2 extra weeks.

